

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

	X	
LIFEGUARD LICENSING CORP. and	:	
POPULARITY PRODUCTS, LLC,	:	
	:	
Plaintiffs,	:	Civil Action No. 15-CV-08459-LGS
	:	Judge Lorna G. Schofield
- against -	:	Magistrate Judge James C. Francis IV
	:	
JERRY KOZAK, ANN ARBOR T-SHIRT	:	<u>NOTICE OF MOTION TO DISMISS</u>
COMPANY, LLC and RICHARD WINOWIECKI,	:	
	:	
Defendants.	:	
	:	
	X	

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law dated November 24, 2015 and the Moving Declarations of Jerry Kozak and Richard Winowiecki, sworn to on November 19, 2015, the Moving Declaration of Thomas P. Heed, sworn to on November 23, 2015, and the Exhibits annexed thereto, defendants will move this Court before the Honorable Lorna G. Schofield, Courtroom 1106, 40 Foley Square, New York, New York 10007, for an Order: (i) dismissing the Complaint herein dated October 27, 2015 pursuant to Rules 12(b)(1) and/or 12(b)(2) of the Federal Rules of Civil Procedure; and (ii) granting such other and further relief as this Court deems just and proper.

Pursuant to the Southern District of New York's Local Rule §6.1(b) answering affidavits and memoranda by plaintiff shall be served and filed on or before December 14, 2015.

Dated: November 30, 2015

Respectfully submitted,

By: /s/ Thomas Heed
Thomas P. Heed
Heed Law Group PLLC
39555 Orchard Hill Place, Suite 600
Novi, Michigan 48375
Phone: (248) 465-8655
Fax: (248) 348-5760
Email: theed@heedlawgroup.com

KLEINBERG, KAPLAN, WOLFF & COHEN, P.C.
Norris D. Wolff
Joshua K. Bromberg
551 Fifth Avenue, 18th Floor
New York, New York 10176
Phone: (212) 986-6000
Fax: (212) 986-8866
Email: nwolff@kkwc.com

Attorneys for Defendants
ANN ARBOR T-SHIRT COMPANY LLC, JERRY
KOZAK, and RICHARD WINOWIECKI

TO: Gerald Grunsfeld, Esq.
Lazar, Grunsfeld, Elnadav, LLP
1795 Coney Island Avenue
Brooklyn, NY 11230
Phone: (718) 947-7476
Fax: (718) 998-1308
Email: Gerry@lgelaw.com

Attorney for Plaintiffs
LIFEGUARD LICENSING CORP. and
POPULARITY PRODUCTS LLC